

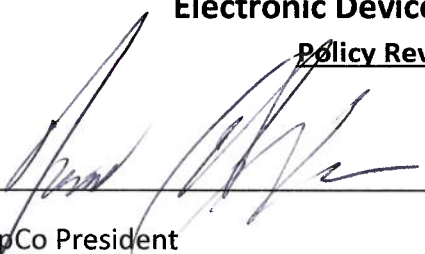


FreshPoint Dallas

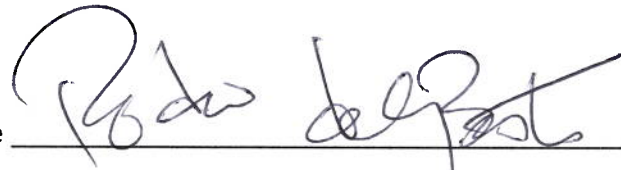
Distracted Driving and  
Electronic Device Use Policy

**Distracted Driving and  
Electronic Device Use Policy**

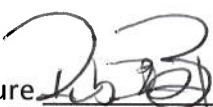
**Policy Review**

Signature  Date 6-18-19

David Hartman, OpCo President

Signature  Date 06/18/19

Pedro Del Busto, Vice President, Operations

Signature  Date 6/18/19

Robert Bartke, Transportation Director

Signature  Date 6/18/19

Donald Buchanan, Safety Manager

## **Distracted Driving and Electronic Device Use Policy**

### **Purpose**

Cell phones, laptops and other electronic devices pose a significant distraction to drivers when operating motor vehicles. A driver's use of any of these items greatly increases the risk of a collision and the potential for associated harm to the driver and others. The purpose of this policy is to establish and communicate FreshPoint Dallas' minimum expectations concerning the use of electronic devices while driving on company business.

### **Scope**

This distracted driving and electronic device use policy applies to any individual employed by FreshPoint Dallas that drives a FreshPoint Dallas owned or leased Commercial Motor Vehicle or Special Delivery Vehicle within the scope of his or her employment for FreshPoint Dallas business, hereinafter referred to as "Driving Associate" throughout this policy. For Driving Associates, compliance with this policy is an expectation of employment. Third parties who perform services on FreshPoint Dallas' behalf utilizing FreshPoint Dallas equipment and where FreshPoint Dallas retains liability for accidents and injuries incurred by the third party while performing services on FreshPoint Dallas' behalf, are required to execute an agreement that requires the third party to implement a similar policy requirement for all assigned personnel or individual operators which shall be a condition of performing services for FreshPoint Dallas. Definitions for terms used in this policy may be found at the end of the policy.

### **Policy Statement**

While operating a motor vehicle, a Driving Associate's first responsibility shall be the safe operation of the vehicle. This means Driving Associates must not allow for any type of distraction while driving. While handheld global positioning system (GPS), cell phone and laptop communications are vital to FreshPoint Dallas operations and to servicing our customers on a daily basis, they pose significant safety concerns when used while driving. The use of hands-free electronic devices is a distraction and is not sufficient to ensure the Delivery Driving Associate's and the public's safety. To address this concern, FreshPoint Dallas has enacted the requirements below.

1) FreshPoint Dallas' policy on the use of electronic devices while driving prohibits Driving Associates from using any electronic or communication device, including, but not limited to, a cell phone, CB radio, laptop computer, handheld GPS device, pager, Bluetooth or hands-free device (including the wearing of wired or unwired devices in or on the ear or on the body) while the vehicle is in motion. Those devices hereinafter are collectively referred to as electronic devices.

2) The use of GPS navigation devices is only allowed provided the unit is mounted, affixed or attached to the vehicle. However, using a handheld GPS device or inputting any information on

the GPS device shall be prohibited while the vehicle is in motion. The use of a smart phone or other handheld device for GPS purposes shall be allowed only if the device can be mounted, affixed or attached to the vehicle prior to use; however, a Driving Associate shall be prohibited from entering data into the device while the vehicle is in operation. **Note:** FreshPoint Dallas considers placing a portable GPS unit or GPS device into a cupholder, cubby, or other manufactured vehicle storage area as “affixed” for the purposes of this policy. GPS units or GPS devices shall not be physically located on the driver’s body or kept on the driver’s seat and no driver shall input data to or handle such devices while the vehicle is in motion.

3) Any Driving Associate intending to use an electronic device shall pull off the roadway to a safe location, place the transmission in park if an automatic transmission or in neutral for a standard transmission and ensure all parking brakes are properly engaged before attempting to use any electronic device. Roadway shoulders, stop signs/lights and ramps shall not be considered safe locations for such activity. Many state and local municipalities have enacted laws prohibiting the use of cell phones and other electronic communication devices while driving. In certain states, laws also prohibit cell phone use in active school zones and other designated areas. US federal law prohibits texting and handheld cell phone use while driving in Commercial Motor Vehicles. FreshPoint Dallas Driving Associates must adhere to this policy and all national, state or local laws and regulations regarding the use of electronic devices while driving. The Driving Associate is required to immediately report the issuance of any citation or ticket involving any violation involving distracted driving behavior covered by this policy and/or impacting the Driving Associate’s license.

### **Asking Questions**

If a FreshPoint Dallas Driving Associate has a question about this policy or is unsure about its requirements, it is his or her responsibility to seek information in order to comply with the policy’s requirements. To learn more about this policy, Delivery Driving Associates should contact their direct supervisor, the safety manager, or a human resources business partner.

### **Discipline and Other Consequences**

There are no warnings given for violating this policy. Any offense will result in termination. Assigned workers and third party drivers who engage in the use of any electronic device or communication while driving shall be subject to being denied access to FreshPoint Dallas facilities, personnel and assets, and permission to perform services on FreshPoint Dallas’ behalf. The determination of a violation of this policy may be confirmed through direct observation, DriveCam event recordings, investigative findings, motor vehicle records or other methods.

### **Local Policies and Procedures**

FreshPoint Dallas’ intention is to comply with all applicable legal requirements. FreshPoint Dallas may adopt regional or county-specific policies on this subject to accommodate local conditions or legal requirements; FreshPoint Dallas Driving Associates shall comply with all applicable laws, regulations, policies and procedures.

**Definitions**

*Driving Associate:* Any individual employed by FreshPoint Dallas that drives a FreshPoint Dallas owned or leased (including rented) Commercial Motor Vehicle or Special Delivery Vehicle within the scope of his or her employment for FreshPoint Dallas business.

*Electronic Device:* Any electronic or communication device including but not limited to, a cell phone, CB radio, laptop computer, handheld GPS device, pager, Bluetooth or hands-free device which includes the wearing of wired or unwired devices in or on the ear.



Distracted Driving and Electronic Device Use Policy Acknowledgement

I have thoroughly read and understand the FreshPoint Dallas Distracted Driving and Electronic Device Use policy. I understand that changes in federal, state, or local law or regulations may occur, affecting this policy. I agree to comply with the company policy on distracted driving and electronics. I understand that if I have questions concerning this form or the policy, I can contact a supervisor, manager or human resources business partner. I understand the disciplinary policy regarding use of electronic devices while driving a company vehicle. Prior to signing this form, I read it carefully and had an opportunity to ask questions regarding its content and the content of the information I was provided.

Signature: \_\_\_\_\_

Print your name: \_\_\_\_\_

Department: \_\_\_\_\_

Date: \_\_\_\_\_

Place form in the employee's file